

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **DISTRICT OF NEVADA**

3       Lonnie Lee Banark,

Case No. 2:16-cv-001948-JAD-BNW

4               Petitioner

5       v.

**Order Denying Motions**

6       Warden Adams, et al.,

[ECF Nos. 85, 87, 88, 90, 92]

7               Respondents

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9               Lonnie Lee Banark brings this habeas petition to challenge his 2014 state-court  
10 conviction for driving or being in actual physical control while under the influence of  
11 intoxicating liquor.<sup>1</sup> Merits briefing is complete, and Banark continues to file motions asking the  
12 court to hold a hearing on his petition and issue a decision.<sup>2</sup>

13              Again, the court is fully aware of Banark's case and its status. But Banark's petition  
14 remains just one of hundreds of habeas petitions pending in this district, and merits decisions on  
15 habeas petitions are highly involved, time-consuming projects that demand a significant amount  
16 of the court's time. Banark is advised that his petition is in line for decision and that the court  
17 will issue that decision as soon as possible, but Banark has presented no grounds for expedited  
18 treatment of his case. And, if the court determines when evaluating Banark's petition that a  
19 hearing is necessary, it will order one then. Banark's practice of filing additional hurry-up-and-  
20 decide-my-case motions every few weeks only further delays a ruling on his petition because it

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23 <sup>1</sup> ECF No. 34.

<sup>2</sup> ECF Nos. 85, 87, 88, 92.

1 forces the court to take time away from the merits analysis to address these rapidly piling-up  
2 motions.

3 Banark also asks the court to order the Nevada Attorney General to stop assigning new  
4 attorneys to his case.<sup>3</sup> He suggests that this practice is delaying the resolution of his case. But  
5 with merits briefing complete, the court is not awaiting any action by the defendants at this time.  
6 So, even if such an order could be issued, none is warranted.

7 Accordingly, IT IS HEREBY ORDERED that the motions for hearing and expedited  
8 decision [ECF Nos. 85, 87, 88, 92] are **DENIED**. The court will address Banark's petition in  
9 due course.

10 IT IS FURTHER ORDERED that Banark's request that the Nevada Attorney General's  
11 Office Cease and Stop Reassigning New Deputy Attorneys to this case [ECF No. 90] is also  
12 **DENIED**.

13 Dated: July 5, 2019

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15 U.S. District Judge Jennifer A. Dorsey  
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<sup>3</sup> ECF No. 90.